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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,517	03/09/2004	Craig D. Johnson	68.0322	2516

35204	7590	02/04/2008
SCHLUMBERGER RESERVOIR COMPLETIONS		
14910 AIRLINE ROAD		
ROSHARON, TX 77583		

EXAMINER	
DUNWOODY, AARON M	

ART UNIT	PAPER NUMBER
3679	

NOTIFICATION DATE	DELIVERY MODE
02/04/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

vsolis2@slb.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/708,517	<b>Applicant(s)</b> JOHNSON ET AL.	
	<b>Examiner</b> Aaron M. Dunwoody	<b>Art Unit</b> 3679	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,5,7,11,12,16,18,22,97-103 and 105 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,7,11,12,16,18,22,97-103 and 105 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3, 5, 7, 11, 12, 16, 18, 22, 97-103 and 105 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Independent claims 1, 97 and 101 do not positively recite first and second tubing sections, but claims that depend therefrom further define the first and second tubing sections. The Examiner must conclude that the first and second tubing sections are considered part of the claimed invention. Applicant should amend claims accordingly.

Claim 1 recites "a second surface"; however, it is unclear to the Examiner how the sleeve can have a second surface without having a first surface.

Claim 5 is a redundant claim which repeats what is already stated in claim 1.

Claim 7 recites "another passageway"; however, it is unclear to the Examiner how the tubular member can have another passageway without having a first passageway.

Claim 11 recites the limitation "the body of the connector" in lines 1-2; claim 22 recites the limitation "the member" in line 1; and claim 99 recites the limitation "the first and second bodies" in lines 1-2. There is insufficient antecedent basis for these limitations in the claims.

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Claim 97 recites "a second surface"; however, it is unclear to the Examiner how the sleeve can have a second surface without having a first surface.

Claim 97 recites "another passageway coaxial"; however, it is unclear to the Examiner how the second body can have another passageway without having a first passageway.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 7, 11, 12, 16, 18, 22, 97-103 and 105 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 3780802, Phipps et al.

In regards to claims 1-3, 5, 7, 11, 12, 16, 18, 22, 97-103 and 105, Phipps et al disclose an apparatus usable with a well to connect a first tubing section and a second tubing section together, the apparatus comprising:

a body comprising:

a first surface;

a first opening concentric with an axis to receive the first tubing section;

a second opening concentric with the axis to receive the second tubing section;

and

a passageway eccentric with respect to the axis to communicate fluid after the first and second tubing sections are connected together by the body;

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a sleeve (52) adapted to be moved from a retracted position to an extended position, the sleeve comprising a second surface; and

a sealing element (68) to form a sealing contact with the first surface of the body and with the second surface of the sleeve when the sleeve is in the extended position.

Claims 1-3, 5, 7, 11, 12, 16, 18, 22, 97-103 and 105 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 4676563, Curlett et al.

In regards to claims 1-3, 5, 7, 11, 12, 16, 18, 22, 97-103 and 105, Curlett et al disclose an apparatus usable with a well to connect a first tubing section and a second tubing section together, the apparatus comprising:

a body comprising:

a first surface;

a first opening concentric with an axis to receive the first tubing section;

a second opening concentric with the axis to receive the second tubing section;

and

a passageway eccentric with respect to the axis to communicate fluid after the first and second tubing sections are connected together by the body;

a sleeve (84) adapted to be moved from a retracted position to an extended position, the sleeve comprising a second surface; and

a sealing element (98) to form a sealing contact with the first surface of the body and with the second surface of the sleeve when the sleeve is in the extended position.

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***Response to Arguments***

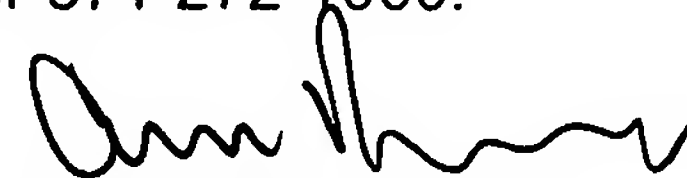
Applicant's arguments with respect to claims above have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Aaron M Dunwoody  
Primary Examiner  
Art Unit 3679

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